

Notice of appeal against a decision of the first-tier tribunal (Property Chamber) in England, or a Leasehold Valuation or Residential Property Tribunal in Wales

Please read the attached guidance notes before completing this form.

This appeal relates to:

- | | | |
|---|---|--|
| <input type="checkbox"/> Leasehold
Enfranchisement | <input type="checkbox"/> Extension of a
Lease | <input type="checkbox"/> Landlord's
Enfranchisement costs |
| <input type="checkbox"/> Service, Estate or
Administration Charges | <input type="checkbox"/> The Appointment of
a Manager/Right to
Manage | <input type="checkbox"/> Insurance Charges |
| <input type="checkbox"/> Variation of a Lease | <input type="checkbox"/> Forfeiture | <input type="checkbox"/> Breach of
Tenant's covenants |
| <input type="checkbox"/> An Improvement Notice | <input type="checkbox"/> A Prohibition Order | <input type="checkbox"/> A HMO or other house
licence |
| <input type="checkbox"/> An Emergency
Remedial Action Order | <input type="checkbox"/> A Demolition Order | <input type="checkbox"/> A Slum Clearance
Declaration |
| <input type="checkbox"/> An Overcrowding
Notice or Management
Order | <input type="checkbox"/> An Emergency
Prohibition Notice | <input type="checkbox"/> An Empty Dwelling
Management Order |
| <input type="checkbox"/> An Agricultural
Tenancy Succession | <input type="checkbox"/> Land Drainage | <input type="checkbox"/> Rent |
| <input type="checkbox"/> A Park Home | <input type="checkbox"/> Right-to-buy
Determination | <input type="checkbox"/> Other |

Appellant's details

Name

Address
(including
postcode)

Telephone

Fax

Email

The applicant is the:

- | | |
|--|--|
| <input type="checkbox"/> Freeholder/Head
Landlord | <input type="checkbox"/> Intermediate Landlord |
| <input type="checkbox"/> Leaseholder/tenant | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Other | |

Appellant's solicitor or other representative

Name

Address
(including
postcode)

Telephone

Fax

Email

Respondent

Name

Address
(including
postcode)

Telephone

Fax

Email

Respondent's solicitor or other representative

Name	<input type="text"/>
Address (including postcode)	<input type="text"/>
Telephone	<input type="text"/>
Fax	<input type="text"/>
Email	<input type="text"/>

Property details

Address (including postcode)	<input type="text"/>
Type of property	<input type="text"/>

The decision subject of the appeal is:

Name of Tribunal	<input type="text"/>
Tribunal's case number	<input type="text"/>
Date of Tribunal's main decision	<input type="text"/>
Date Tribunal's decision granting permission to appeal	<input type="text"/>

Grounds of appeal (please tick one or more as appropriate)

- ☐ The decision shows that the Tribunal wrongly interpreted or wrongly applied the relevant law
- ☐ The decision shows that the Tribunal misinterpreted, disregarded or wrongly applied a relevant principle of valuation or other professional practice
- ☐ The Tribunal took account of irrelevant considerations, or failed to take account of relevant considerations or evidence, or there was a substantial procedural defect
- ☐ The point or points at issue is, or are, of potentially wide implications
- ☐ Other reasons

Type of procedure

I would like the appeal to be heard as:

- ☐ a review ☐ a review with a view to rehearing ☐ a rehearing

And by the

- ☐ Standard procedure ☐ Simplified procedure
- ☐ Special procedure ☐ Written representations procedure

I consider this procedure the most suitable because:

I intend to call an expert witness at the hearing of the appeal ☐ Yes ☐ No ☐ Possibly

I may wish to call more than one expert witness ☐ Yes ☐ No ☐ Possibly

Enclosures

I have enclosed with this notice of appeal:

- Sufficient copies of this notice for service upon each of the respondents, and upon the Tribunal whose decision is being appealed.
- Sufficient copies of the statement of case for service upon each of the respondents.
- A copy of the main decision being appealed.
- A copy of the decision giving you permission to appeal and its covering letter.
- Authority to act, signed by the appellant (if applicable).
- A cheque made payable to 'HM Courts & Tribunals Service' for £275 for the appeal lodging fee.

Declaration, signature and date

I accept responsibility for the conduct of the case and the payment of fees that fall due.

Signed _____ Print name _____

Date _____ Status _____

Form guidance notes

Is this the right form for your appeal?

- Use this form for any decision of the First-tier Tribunal (Property Chamber) in England, or a Leasehold Valuation or Residential Property Tribunal in Wales **but only** where permission to appeal has been given to you by that Tribunal.
- If permission to appeal was refused please use Form PTA (T602).
- If the decision relates to non-domestic rating made by a Valuation Tribunal, don't use this form; use form RA instead.
- Please detach and keep these guidance notes. Please don't return them with the appeal form when you file it.
- Please also see the attached guidance note on fees.

When must the form be lodged?

When you have completed it, the form, and its requisite enclosures must be received at the Tribunal's offices within one calendar month after the date that the Tribunal whose decision is being appealed sent to you permission to appeal.

Late appeals

If you are unable to lodge this form and its enclosures within the time period prescribed, you must apply for permission to lodge it late (i.e. permission to extend the time for lodging the notice of appeal). You must give your reasons for requiring additional time and say how long you need. You must send a copy of your application to all the respondents and confirm to the Upper Tribunal that you have done so. You must also tell them that if they wish to object to your application they must write to us explaining why they object within 10 days of receipt of your application. You must also pay an additional interlocutory application fee of £110.

The appellant

- The appellant must have been a party to the proceedings before the Tribunal whose decision is being appealed.
- Where more than one person wishes to appeal, the names and addresses of all appellants must be stated. Attach a list separately if necessary.
- Where there is more than one appellant please indicate which one of them is the person with whom the Tribunal should correspond. The Tribunal will not correspond with more than one joint appellant.

The appellant's solicitor or other representative

- If this section is completed all communications from the Tribunal and other parties regarding this appeal will be sent or delivered to the appointed solicitor or representative.
- A representative who is not a solicitor must enclose an authority to act signed by the persons they represent and confirming that the representative is appointed to represent them.

Property

Please give the full address, including the postcode of the property subject of the appeal, and a brief description of its type, for example, 'A three-storey, mid-terraced house, converted into three self-contained flats.'

Grounds of Appeal

Please tick one or more of the boxes on the form, as appropriate. You will not be able to rely on a ground that has not been ticked. Set out in full details of the grounds on which you rely in your statement of case which must accompany your notice of appeal. They should be organised under a heading for each ground you rely upon.

Review or rehearing?

An appeal may proceed in one of three ways. The Tribunal will decide which procedure is appropriate after taking your views and the views of any respondent to the appeal into account.

- In an appeal by way of **review** the Upper Tribunal is asked to decide whether the decision of the Tribunal whose decision is being appealed was correct, based on the evidence that was put before it. No evidence is heard by the Upper Tribunal in this process.
- In an appeal by way of **review with a view to rehearing**, no evidence is initially heard by the Upper Tribunal, but if it concludes that the Tribunal whose decision is being appealed incorrectly applied the law, or that its process contained serious procedural errors, a new hearing will then take place before the Upper Tribunal.
- In an appeal by way of **rehearing**, there is a full rehearing of the case by the Upper Tribunal (or part of the case if permission to appeal is limited) with each party calling the evidence they rely upon to establish their case. The Tribunal may allow the parties to present new evidence that was not given before the Tribunal whose decision is being appealed.

Type of procedure

Please see paragraph 3 of the Practice Directions on our website for an explanation of the different types of procedures the tribunal uses and indicate which one is you believe is the most appropriate one for your appeal.

Your statement of case

- Please read paragraph 6 of the Practice Directions for guidance as to what the statement of case must contain.
- If you are unable to file a statement of case now you must apply for an extension of time in which to do so. You must give your reasons for requiring additional time and say how long you need. You must send a copy of your application to all the potential respondents and confirm to the Tribunal that you have done so. You must also tell them that if they wish to object to your application they must write to the Tribunal explaining why they object within 10 days of receipt of your application. You must also pay an additional application fee of £110.

Expert witnesses

The rules limit the number of expert witnesses that a party may rely on. Normally parties are limited to relying on the evidence of one expert witness each for appeals. Permission is required from the Tribunal to call more than one expert witness.

Enclosures

- The Upper Tribunal does not have access to the files of other tribunals, so it is very important that you include complete copies of the decision against which you are appealing, the decision giving you permission to appeal, and a copy of the covering letter which accompanied the decision giving you permission to appeal.

- Additional fees, such as hearing or determination fees, will be payable during the course of the appeal. Please see the attached guidance note on fees.
- Failure to include all of the documents listed may result in your appeal being struck out.

Where to send or deliver the documents:

The Upper Tribunal (Lands Chamber)
5th Floor
Rolls Building
7 Rolls Building
Fetter Lane
London
EC4A 1NL
DX: 160042 Strand 4
Tel: 020 7612 9710
Fax: 0870 761 7751

Guidance on fees

1. The fee to lodge an application for permission to appeal against a decision of a First-tier Tribunal is £220.
2. The fee to lodge an appeal against a decision of a First-tier Tribunal is £275.
3. The fee for an interlocutory application (any application to the Registrar or the President during the course of proceedings), is £110 per application.
4. The fee for a consent order is £165. This is payable for an order approved by the Tribunal disposing of an appeal on terms agreed by the parties.
5. There is no fee payable for the withdrawal of an appeal.
6. When an appeal is determined, by hearing or otherwise, a hearing fee is payable by the appellant (unless the Tribunal directs otherwise). The amount is 2% of the sum determined (or 2% of the annual rent, as the case may be) by the Tribunal subject to a £275 minimum and £16,500 maximum. If the decision of the Tribunal is not based on an amount, the fee is £550.
7. You can make an application to waive, reduce or refund fees if you are in receipt of certain benefits or are on a low income. You can get the 'EX160 - Apply for help with fees' guide and application form online, <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do> or from the office on request.